

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 05042**, from O-3 Office Park District to B-2 Planned Neighborhood Business District, requested by Ridge Development Company, on property generally located at South 14th Street and Pine Lake Road.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 06/08/05; 06/22/05; 07/20/05;
08/17/05; 09/14/05; 10/12/05; and 11/09/05
Administrative Action: 11/09/05

STAFF RECOMMENDATION: Approval.

RECOMMENDATION: Approval (7-0: Esseks, Pearson, Larson, Carroll, Strand, Sunderman and Carlson voting 'yes'; Krieser and Taylor absent).

ASSOCIATED REQUESTS: Use Permit No. 89C (06R-8)

FINDINGS OF FACT:

1. This proposed change of zone was heard in conjunction with the associated amendment to Pine Ridge use permit.
2. The staff had originally recommended denial of this proposal because it was not pedestrian oriented and there was a concern about further strip commercial development along Pine Lake Road.
3. These applications were deferred seven times while the applicant continued to negotiate with the staff, culminating in a revised site plan for the associated use permit amendment. The revised plan resulted in the staff recommendation of approval on this change of zone request, which is based upon the "*Analysis*" as set forth on p.4-5, concluding that the revised site plan for the associated use permit amendment creates a more attractive mixed-use center with good pedestrian access to Pine Lake Road and the adjacent streets, and between buildings in the center.
4. The applicant's testimony is found on p.8, indicating that the applicant and staff had reached agreement on the site plan for the associated use permit.
5. There was no testimony in opposition.
6. On November 9, 2005, the Planning Commission agreed with the revised staff recommendation and voted 7-0 to recommend approval (Krieser and Taylor absent).
7. On November 9, 2005, the Planning Commission also voted 7-0 to recommend conditional approval of the associated Use Permit No. 89C, as revised.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: January 3, 2006

REVIEWED BY: _____

DATE: January 3, 2006

REFERENCE NUMBER: FS\CC\2006\CZ.05042+

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for June 8, 2005 PLANNING COMMISSION MEETING

-REVISED REPORT-

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for the use permit application.

PROJECT #: **Change of Zone #05042**

Use Permit #89C

PROPOSAL: To change the zoning from O-3 Office Park to B-2 Planned Neighborhood Business to allow restaurant, retail and office.

LOCATION: South 14th Street and Pine Lake Road

LAND AREA: CZ#05042 - 11.6 acres more or less.
UP#89C - 20.76 acres more or less.

WAIVERS:

1. Adjust internal setbacks to 0' in the B-2.
2. Adjust rear yard setback from 50' to 20' in the B-2.
3. Adjust front yard setback from 50' to 20' along the adjacent streets.
4. Allow lots without frontage to a public street or private roadway.

CONCLUSION: Staff recommended denial of the original site plan because it was not pedestrian oriented and over concern for further strip commercial development along Pine Lake Road. The revised site plan creates a more attractive and pedestrian-oriented center with good pedestrian access to Pine Lake Road and the adjacent streets, and between buildings in the center.

RECOMMENDATION:

CZ#05042

UP#89C

Approval

Conditional Approval

Waivers:

-Adjustment to yard setbacks to 0' except to 20'
adjacent to South 16th and South 20th Streets,
and Pine Lake Road for Block 2

Approval

-Allow lots without frontage to a street or roadway

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached legal descriptions.

EXISTING ZONING: O-3 Office Park, B-2 Planned Neighborhood Business

PROPOSED ZONING: Changes a portion of the O-3 Office Park to B-2 Planned Neighborhood Business

EXISTING LAND USE: The area of the change of zone is undeveloped; the B-2 from South 14th to 16th Streets is developed with commercial, and the O-3 east of South 20th is developed with office.

SURROUNDING LAND USE AND ZONING:

North:	Undeveloped, School	AG, R-1, P
South:	Residential (multiple-family, single-family)	R-3
East:	Residential (multiple-family)	R-4
West:	Commercial	I-3

HISTORY:

October 19, 2004 - UP#89B, a request for on-sale alcohol in the B-2 near South 14th Street was withdrawn by the applicant.

July 21, 1997 - UP#89A was approved revising the occupancy schedule to allow the development of commercial space before the construction of the apartments.

September 9, 1996 - UP#89 was approved allowing 41,500 square feet of office floor area, 45,850 square feet of commercial floor area, and 216 multiple-family units.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F19 - Strip commercial development along transportation corridors is discouraged.

Page F25 - The Land Use Plan designates the west 5.34 acres of the site for commercial land uses, the remainder is designated as urban residential.

Page F37 - Commercial and Industrial Development Strategy

The commercial and industrial development strategy presented below seeks to fulfill two notable objectives: (1) the approach is designed to provide flexibility to the marketplace in siting future commercial and industrial locations; while at the same time (2) offering neighborhoods, present and future home owners, other businesses, and infrastructure providers a level of predictability as to where such employment concentrations might be located. Balancing these two objectives in a meaningful way will require diligence, mutual understanding, and an ongoing planning dialogue.

Page F41 - Guiding Principles for Commerce Centers

Commerce Centers shall be designed and constructed to meet the intent of the environmental resources section of this plan. These centers shall in themselves include green space and enhance green space separation, where possible, among communities and mixed use areas.

Strip commercial development is discouraged. Commerce Centers should not develop in a linear strip along a roadway nor be completely auto oriented.

Commercial locations should be easily accessible by all modes of transportation including pedestrian, bicycle, transit and automobiles. Centers should be especially accessible to pedestrians and bicycles with multiple safe and convenient access points.

Commerce Centers should have convenient access to the major roadway system and be supported by roads with adequate capacity.

Physical linkages (i.e., sidewalks, trails, roads) should be utilized to directly connect Commerce Centers with adjacent development, although undesirable traffic impacts on adjacent residential areas should be avoided or minimized.

Page F97, 98- Pedestrians

The sidewalk system should be complete and without gaps. The pedestrian network in shopping centers should be integrated with adjacent activities.

Pedestrians should be able to walk in a direct path to destinations like transit stops, schools, parks, and commercial and mixed-use activity centers.

Activity Corridors and Centers - Directness and safety for pedestrians going to, from, and within these corridors and centers should be stressed.

ANALYSIS:

1. These requests were originally considered at the Planning Commission's June 8, 2005 public hearing. Both applications received recommendations of denial from staff, and at the applicant's request action was delayed until the November 9, 2005 hearing. During the delay the applicant met with staff on several occasions to discuss the development.
2. Both requests have been amended from the original submittal based upon the meetings between staff and applicant. CZ#05042 previously requested changing the zoning from O-3 to B-2 on approximately the west one-half of the land between South 16th and South 20th Streets, but now includes all of it. Additionally, the site plan associated with UP#89C has also been revised and shows a revised layout with improved pedestrian circulation for the center.
3. Three setback adjustments have been requested, however correctly stated only one is actually required. The site is configured with individual lots surrounded by a common outlot for parking and access. The adjustment will reduce the setback to 0' for buildings on the lots internal to the development, but will maintain a 20' perimeter setback for the development along South 16th and South 20th Streets, and along Pine Lake Road. The site plan provides adequate separation between individual buildings, but the setback reduction to 20' allows buildings to be moved closer to the street. This provides both an adequate setback at the perimeter of the center, and helps orient the center to the street to create a more pedestrian-friendly environment.
4. An adjustment to the rear setback was originally requested where a portion of the parking lot encroaches into the required 50' rear setback along the south boundary. Parking is allowed in the rear yard in B-2 and an adjustment is not required. A note on the site plan states that twice the required landscaping will be planted adjacent to that area where parking is shown in the 50' setback.

5. As noted previously in #3 above, the site is configured with individual lots surrounded by a common outlet for parking and access. This requires a waiver to the requirement that all lots have frontage to a public street or private roadway. For commercial developments similar to this one, this waiver is typical and appropriate, as it allows for the site to be configured to provide shared parking and use common access points.
6. Multiple sidewalk connections to the adjacent streets are shown. Sidewalks internal to the center are also shown which provide pedestrian connections among buildings and through parking lots. The courtyard between the buildings on Lots 5-7 should be extended south to provide both an expanded outdoor amenity, and to connect with the sidewalk that extends along the south edge of the building as shown on a conceptual plan previously provided to staff.
7. The additional sidewalks, the modified building layout, and the pedestrian orientation are consistent with the goals of the Comprehensive Plan regarding the development of new commercial centers.
8. The Health Department notes that dry cleaning establishments are a permitted use in the B-2, and includes a concern about the proximity of that use to the adjacent residential neighborhood and to Scott Middle School due to potential environmental hazards. The concern is directed at those dry cleaning facilities which launder clothes and use hazardous chemicals as part of the cleaning process, versus the neighborhood laundry drop-off facility which does no processing on site. A note should be added to address this concern.
9. Comments from the Public Works and Utilities Department were not received in time to be addressed in this report, but they are attached. It should be a condition of approval that any deficiencies noted in that review be addressed to the satisfaction of Public Works.
10. Minor changes to the notes shown on the site plan are required and are noted in the conditions of approval. Additionally, the land use table indicates "mixed-use" for Block 2 and is nonspecific. Staff understood that a significant portion of the site would be office, and the applicant has confirmed that at least 45% of the floor area would be dedicated to office uses. The land use table should be revised to reflect this ratio of office floor area.

Prepared by:

Brian Will
Planner
October 25, 2005

APPLICANT/

CONTACT: Mark Palmer
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508
402-474-6311

OWNER: Ridge Development Company
2001 Pine Lake Road, Suite 100
Lincoln, NE 68516

**CHANGE OF ZONE NO. 05042
FROM O-3 OFFICE PARK TO
B-2 PLANNED NEIGHBORHOOD BUSINESS
and
USE PERMIT NO. 89C**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

June 8, 2005

Members present: Larson, Taylor, Pearson, Sunderman, Carroll, Krieser and Carlson; Bills-Strand and Esseks absent.

Staff recommendation: Denial.

Ex Parte Communications: None.

Brian Will of Planning staff submitted a letter from Kent Seacrest, the applicant's representative, requesting a two-week delay. Will also submitted a graphic representation of the approved commercial developments within a square mile of this proposal.

Larson moved to defer, with continued public hearing and action on June 22, 2005, seconded by Carroll and carried 7-0: Larson, Taylor, Pearson, Sunderman, Carroll, Krieser and Carlson voting 'yes'; Bills-Strand and Esseks absent.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

June 22, 2005

Members present: Sunderman, Carlson, Larson, Carroll, Krieser, Taylor, Pearson, Esseks and Bills-Strand.

Staff recommendation: Denial.

Ex Parte Communications: None.

The Clerk announced that Kent Seacrest, on behalf of the applicant, has submitted a written request for four-week delay.

Carroll moved to delay, with continued public hearing and action scheduled for July 20, 2005, seconded by Carlson and carried 9-0: Sunderman, Carlson, Larson, Carroll, Krieser, Taylor, Pearson, Esseks and Bills-Strand voting 'yes'.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

July 20, 2005

Members present: Larson, Carroll, Sunderman, Esseks, Carlson, Pearson, Taylor and Bills-Strand; Krieser absent.

Staff recommendation: Conditional approval.

Ex Parte Communications: None.

The Clerk announced that the applicant's representative has requested an additional four-week deferral.

Taylor moved to defer four weeks, with continued public hearing and action scheduled for August 17, 2005, seconded by Carroll and carried 8-0: Larson, Carroll, Sunderman, Esseks, Carlson, Pearson, Taylor and Bills-Strand voting 'yes'; Krieser absent.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

August 17, 2005

Members present: Esseks, Krieser, Pearson, Taylor, Sunderman, Carroll, Larson, Carlson and Bills-Strand.

Staff recommendation: Denial.

Ex Parte Communications: None.

The Clerk announced that the applicant has requested an additional four-week deferral, with continued public hearing and action scheduled for September 14, 2005.

Carroll moved to delay until September 14, 2005, seconded by Pearson and carried 9-0: Esseks, Krieser, Pearson, Taylor, Sunderman, Carroll, Larson, Carlson and Bills-Strand voting 'yes'.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

September 14, 2005

Members present: Esseks, Carroll, Taylor, Larson, Sunderman, Person, Krieser, Bills-Strand and Carlson.

Staff recommendation: Denial.

Ex Parte Communications: None.

The Clerk announced a request from the applicant for a four-week deferral.

Bills-Strand moved to defer four weeks, with continued public hearing and action on October 12, 2005, seconded by Taylor and carried 9-0: Esseks, Carroll, Taylor, Larson, Sunderman, Pearson, Krieser, Bills-Strand and Carlson voting 'yes'.

There was no public testimony.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

September 14, 2005

Members present: Esseks, Carroll, Taylor, Larson, Sunderman, Person, Krieser, Bills-Strand and Carlson.

Staff recommendation: Denial.

Ex Parte Communications: None.

The Clerk announced a request from the applicant for a four-week deferral.

Bills-Strand moved to defer four weeks, with continued public hearing and action on October 12, 2005, seconded by Taylor and carried 9-0: Esseks, Carroll, Taylor, Larson, Sunderman, Pearson, Krieser, Bills-Strand and Carlson voting 'yes'.

There was no public testimony.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

November 9, 2005

Members present: Esseks, Pearson, Larson, Carroll, Strand, Sunderman and Carlson; Taylor and Krieser absent.

Staff recommendation: Approval of the change of zone and conditional approval of the use permit, as revised.

Ex Parte Communications: None.

Proponents

1. Kent Seacrest appeared on behalf of **Ridge Development Company**, for development of this 11.6 acre tract on the south side of Pine Lake Road from 16th to 20th Streets. This is the last vacant parcel from the old 1995 Southridge Coalition which created South Pointe. This piece, originally zoned O-3, consisted of a use permit for 216 apartments in three big buildings, which the neighbors and the developer do not believe are sustainable. A year ago, the applicant submitted a mixed use plan, with the retail on the west and the office on the east, which did not mix it very well. And the staff pointed out that it was not pedestrian oriented with parking in front and that it was too much of a strip development. The applicant then had three neighborhood meetings and 4-5 staff meetings, and six delays later, they have reached consensus.

Seacrest then explained the revised plan being considered today. There is 55% of the footprint as retail and office. The buildings have been moved closer to the street to frame Pine Lake Road by buildings instead of parking lots.

There are sidewalks everywhere. It will not be necessary to walk in the parking lots to get to the stores and there are connections to the key neighbors. In fact, this plan complies with the new proposed sidewalk design standards that are not yet in place. They have also worked with Public Works for a traffic light in the future and intersection improvements at 20th and Pine Lake Road, which will really help Scott Middle School. They are also buffering the neighborhood with 50', and in a few places where the parking gets closer, they are doubling the landscape design standard. There will be open space and a pedestrian plaza. The lighting will not trespass onto the neighbors. This proposal helps the neighborhood by improving the drainage problems and the developer is promising not to do keno bars. They do want sit-down restaurants but none of the active keno bars.

Seacrest agreed with the proposed conditions of approval.

Larson inquired whether the only access to the area is on 16th and 20th. Seacrest also pointed out the right-in, right-out access on Pine Lake Road.

There was no testimony in opposition.

CHANGE OF ZONE NO. 05042

ACTION BY PLANNING COMMISSION:

November 9, 2005

Carroll moved approval, seconded by Strand.

Pearson commented that she thinks this is terrific, but she is sorry the developer had to go out of town to find an architect; however, she is personally very impressed with the site plan.

Motion for approval carried 7-0: Esseks, Pearson, Larson, Carroll, Strand, Sunderman and Carlson voting 'yes'; Krieser and Taylor absent. This is a recommendation to the City Council.

USE PERMIT NO. 89C

ACTION BY PLANNING COMMISSION:

November 9, 2005

Carroll moved to approve the staff recommendation of conditional approval, seconded by Strand and carried 7-0: Esseks, Pearson, Larson, Carroll, Strand, Sunderman and Carlson voting 'yes'; Krieser and Taylor absent. This is a recommendation to the City Council.



2005 aerial

Change of Zone #05042 S. 14th & Pine Lake Rd.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 24 T9N R6E



Zoning Jurisdiction Lines

City Limit Jurisdiction



010

SEACREST & KALKOWSKI, P.C.

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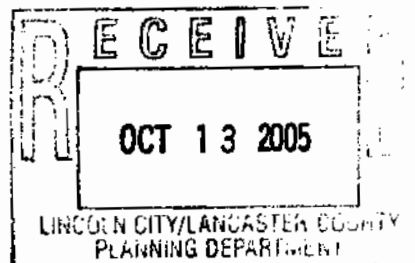
KENT SEACREST
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DANAY KALKOWSKI
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October 13, 2005

HAND DELIVERY

Mr. Marvin Krout
Planning Department
County-City Building
555 South 10th Street
Lincoln, NE 68508



RE: Re-submittal of Amendment to Use Permit 89A
Change of Zone
OA Project No. 2004-0794

Dear Marvin:

Our law firm represents Northern Lights, L.L.C., c/o Ridge Development Company ("Owner"), who is the owner of the property on the south side of Pine Lake Road, between South 16th Street and South 20th Street. On May 12, 2005, we applied for an Amendment to Use Permit 89A and a B-2 Change of Zone. See May 12, 2005 submittal letter and enclosures.

History:

In 1996, the property was zoned O-3, Office Park with an approved Use Permit #89A for three large apartment buildings, each proposed to contain 72 units for a total of 216 apartment units. To date, we have not been successful in marketing the site for apartments. After discussing the matter with the abutting neighborhood, we would like to develop the site into a mixed-use of retail and offices.

You and your staff have been kind and met with us on many occasions to develop a better mixed-use center. The latest site plan, a copy of which is enclosed herein, and emails appeared to address everyone's interests and concerns.

Re-submittal Materials:

Our re-submittal application materials include the following:

1. Revised Change of Zone legal description and exhibit
2. Revised Site Plan – 21 copies
3. Revised Drainage and Grading Plans – 9 copies
4. Revised Landscape Plan – 5 copies

Under our May 12th letter, we previously submitted the following application materials which are still relevant:

1. Application for a Use Permit Amendment with submittal requirements
2. Use Permit Application fee
3. Change of Zone application with submittal requirements
4. Change of Zone fee
5. Traffic study- 3 copies
6. Ownership Certificate - 1 copy

Our requested waivers are stated on the enclosed Site Plan.

Rationale For Our Request:

As you know, we have had many meetings with City Staff to receive valuable input to improve the Site Plan. Our revised Site Plan and proposed B-2 rezoning requests permits the mixed-uses to move around based upon market interest and still be unified with the pedestrian sidewalks and quality design elements.

The Site Plan also achieves many important Comprehensive Plan objectives, including the Incentive Criteria (p. F 48):

- The mixed-use center is located in a neighborhood with greater residential density than is typical for a suburban area.
- The proposed center provides a significant mix of uses, including office (including two stories), service, retail, and open space.
- There will be many public and pedestrian amenities such as a significant open space and plaza meeting area.
- The proposed Site Plan provides for greater pedestrian orientation in its layout, physical arrangement of buildings and parking. Furthermore, the buildings are oriented to pedestrians.

Doug Halvorson of Purdy & Slack Architects designed the revised Site Plan on behalf of the developer. The Site Plan does a fine job of avoiding the "strip development" look that is discouraged by the Comprehensive Plan. The Comprehensive Plan seeks to give bonus for quality pedestrian designed projects. In addition, we believe this unique Site Plan meets the proposed changes to the new Sidewalk Design Standards as they might apply to this type of mixed-use center.

Expressed Neighborhood Concerns Met:

We have also met with the Vavrina neighbors on three occasions and we are scheduled to meet with the Vavrina neighbors again on November 2, 2005 to show them the latest Site Plan. At the neighborhood meetings the following matters were raised:


1. The neighbors are concerned that the lighting on the buildings and in parking areas would trespass upon their residential lots. We have committed to meet the City's new lighting ordinance which addresses these lighting concerns.

2. Several of the neighbors' lots and homes have drainage problems. Our grading and drainage plan addresses these issues and will cause our property waters to drain away from the residential neighborhood.

3. The neighborhood desires restaurant(s) with the ability to be served an alcoholic beverage, but do not want "Brewsky's" or a "Heidelbergs" restaurant/bar. We have pledged to the neighborhood that we will place a restrictive covenant on the property to prohibit a restaurant/bar having keno. We believe keno operations are not found in the type of sit-down restaurants that also serve liquor that the neighbors desire, such as an Applebee's restaurant/bar.

We thank you for your patience and consideration of our request. Please contact us if you have any questions or require additional information.

Sincerely,



Kent Seacrest
For the Firm

Enclosures

cc with site plan:

Ray Hill

Brian Will

John Brager

Tom White

Councilman Jonathan Cook

Mark Palmer

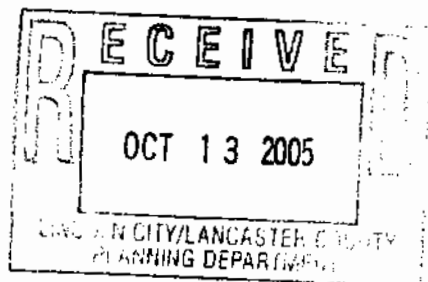
Doug Halvorson

JoAnn Brethouwer, Vavrina Homeowners Association

**LEGAL DESCRIPTION
CHANGE OF ZONE FROM O-3 TO B-2**

A TRACT OF LAND COMPOSED OF LOTS 1, 2, & 3, BLOCK 2, OF PINE RIDGE 1st ADDITION; LOCATED IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER, COUNTY, NEBRASKA.

April 25, 2005
F:\Projects\20040794\doc\Legal Desc for COZ.doc





Status of Review: Approved

Reviewed By ANY

Comments:

Status of Review: Active

Reviewed By 911 ANY

Comments:

Status of Review: Approved

Reviewed By Alltel ANY

Comments:

Status of Review: Active

Reviewed By Building & Safety ANY

Comments:

Status of Review: Approved

10/14/2005 1:35:13 PM

Reviewed By Building & Safety BOB FIEDLER

Comments: approved

Status of Review: Approved

10/14/2005 3:03:55 PM

Reviewed By Fire Department ANY

Comments: Upon review of Change of Zone (PUD) # CZ05042 and Use Permit # UP89C, we have no objections from the perspective of our department.

Status of Review: Approved

10/25/2005 1:25:57 PM

Reviewed By Health Department

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION

TO: Brian Will DATE: October 25, 2005

DEPARTMENT: Planning FROM: Chris Schroeder

ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Pine Ridge

EH Administration CZ #05042 UP #89C

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development with the following noted:

Due to the proximity of residential zoning and Scott Middle School, the LLCHD has concerns regarding the permitted use of Dry cleaning or laundry establishments within the B-2 zoning district. Therefore, the LLCHD recommends prohibiting this use via the use permit conditions of approval.

The LLCHD advises that noise pollution can be an issue when locating commercial uses adjacent to residential zoning.

Lincoln Municipal Code (LMC) 8.24 Noise Control Ordinance does address noise pollution by regulating source sound levels based upon the receiving land-use category or zoning. However, the LLCHD does have case history involving residential uses and abutting commercial uses in which the commercial source does comply with LMC 8.24, but the residential receptors still perceive the noise pollution as a nuisance. The LLCHD strongly advises the applicant to become familiar with LMC 8.24. The LLCHD advises against locating loading docks, trash compactors, etc. adjacent to residential zoning. Therefore, creative site design should be utilized to locate potential sources of noise pollution as far as possible from residential zoning.

All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.